

Notice of Allowability

Application No.

10/797,251

Examiner

Meghan K. Dunwiddie

Applicant(s)

VANDERSCHUIT, CARL R.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request for Continued Examination filed on 03/27/06.
2. ☒ The allowed claim(s) is/are 2-18, 20-22, 24-30, 32-35, 37-43 and 45-52.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 03/27/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on March 27, 2006 is in compliance with the provisions of 37 CFR 1.97, and accordingly, the information disclosure statement is being considered by the examiner.
2. The applicant filed a Request for Continued Examination on March 27, 2006, which included an International Search Report and an Information Disclosure Statement. Both the International Search Report and the Information Disclosure Statement have been considered by the examiner and do not appear to contain relevant information concerning the application.
3. The following is an examiner's statement of reasons for allowance:
4. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 8 having a projection member within the balloon apparatus and set up to emit and direct light from the light source.
4. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 12 having a diffusion member within the balloon apparatus and set up to diffuse light from the light source.

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5. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 14 having a tube within the balloon apparatus supporting the display member attached to the light source.
6. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 20 having at least one member within the balloon apparatus set up to project and/or diffuse the light emitted from the light source.
7. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 21 having the light source being electroluminescent wire and the electroluminescent wire illuminating the members within the balloon apparatus.
8. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 26 having the light source within the balloon apparatus be a light emitting diode, an optical fiber, and/or electroluminescent wire.
9. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 29 having at least one member within the balloon apparatus set up to project and/or diffuse the light emitted from the light source.
10. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 32 having at least one member within the balloon apparatus set up to project and/or diffuse the light emitted from the light source.
11. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 33 having a kit for making the balloon apparatus which includes all of the necessary pieces to create the balloon.

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12. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 39 having the means for sealing the neck of the balloon apparatus include a gasket, a sleeve, and a clip.
13. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 40 providing the tube within the balloon apparatus the ability to be moved around.
14. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 41 having at least one member within the balloon apparatus set up to project and/or diffuse the light emitted from the light source.
15. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 42 having the means for inserting the tube into the balloon apparatus include a stabilizing collar and the neck of the balloon.
16. The prior art when taken separately or combined fails to teach and/or show a balloon apparatus as set forth in Claim 45 having a casing formed within the balloon apparatus in which the electroluminescent wire is placed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meghan K. Dunwiddie whose telephone number is (571) 272-8543. The examiner can normally be reached on Monday through Friday 8 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKD



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800